

Amendments to and Listing of the Claims

Please cancel claims 1, 4, 10, 13, and 16-25 and add claims 26-34 so that the claims read as follows:

1-25. (canceled)

26. (new) A nickel metal-hydride storage battery comprising a paste type positive electrode containing a first active material and a second active material, wherein said first active material comprises X parts by weight of particulate nickel hydroxide with aX/100 parts by weight of cobalt oxyhydroxide carried thereon, and said second active material comprises Y parts by weight of particulate nickel oxyhydroxide, of which an oxidation number of nickel is α , with bY/100 parts by weight of cobalt oxyhydroxide carried thereon, all the following relationships being satisfied:

$$(1) 2.6 \leq \alpha \leq 2.92$$

$$(2) 0.01 \leq (aX/100 + bY/100) / (X + Y) \leq 0.20$$

$$(3) 0 < b \leq a \leq 10 \text{ or } 0 = b < a \leq 10$$

$$(4) 2.1 \leq (2X + \alpha Y) / (X + Y) < 2.2;$$

and wherein an oxidation number of cobalt in said cobalt oxyhydroxide included in said first active material and said second active material is greater than 3.

27. (new) The nickel metal-hydride storage battery in accordance with claim 26, wherein at least one of said particulate nickel hydroxide and said particulate nickel oxyhydroxide is a solid solution containing at least one selected from the group consisting of cobalt, zinc, cadmium, magnesium, calcium, manganese, and aluminum.

28. (new) The nickel-metal hydride storage battery in accordance with claim 26, further comprising a negative electrode comprising a hydrogen storage alloy, a separator, an aqueous alkaline electrolyte, a sealing plate having a safety valve, and a battery case, wherein a

discharge capacity of said negative electrode is greater than a discharge capacity of said positive electrode but not greater than 1.1 times as large as a discharge capacity of said positive electrode when said battery, when in a completely charged condition and having a nominal capacity at 1 C, is continuously discharged at an electric current rate of 0.2 to 5 C until a potential of said negative electrode becomes -0.6 V and a potential of said positive electrode becomes -0.1 V with respect to a mercury reference electrode.

29. (new) A nickel metal-hydride storage battery comprising a paste type positive electrode containing a first active material and a second active material, wherein said first active material comprises X parts by weight of particulate nickel hydroxide with $aX/100$ parts by weight of cobalt oxyhydroxide carried thereon, and said second active material comprises Y parts by weight of particulate nickel oxyhydroxide, of which an oxidation number of nickel is α , with $bY/100$ parts by weight of cobalt oxyhydroxide carried thereon, all the following relationships being satisfied:

$$(1) 2.6 \leq \alpha \leq 2.92$$

$$(2) 0.01 \leq (aX/100 + bY/100) / (X + Y) \leq 0.20$$

$$(3) 0 < b \leq a \leq 10 \text{ or } 0 = b < a \leq 10$$

$$(4) 2.1 \leq (2X + \alpha Y) / (X + Y) < 2.2;$$

wherein an oxidation number of cobalt in said cobalt oxyhydroxide included in said first active material and said second active material is greater than 3 and the paste type positive electrode further comprises a cobalt hydroxide powder, wherein a quantity of the cobalt hydroxide powder is c parts by weight, the following additional relationships being satisfied:

$$(5) 0.01 \leq (aX/100 + bY/100 + c) / (X + Y) \leq 0.20$$

$$(6) 2.1 \leq (2X + \alpha Y + 2c \times 288/289) / (X + Y) < 2.2.$$

30. (new) The nickel metal-hydride storage battery in accordance with claim 29, wherein at least one of said particulate nickel hydroxide and said particulate nickel oxyhydroxide is a solid solution containing at least one selected from the group consisting of cobalt, zinc, cadmium, magnesium, calcium, manganese, and aluminum.

31. (new) The nickel-metal hydride storage battery in accordance with claim 29, further comprising a negative electrode comprising a hydrogen storage alloy, a separator, an aqueous alkaline electrolyte, a sealing plate having a safety valve, and a battery case, wherein a discharge capacity of said negative electrode is greater than a discharge capacity of said positive electrode but not greater than 1.1 times as large as a discharge capacity of said positive electrode when said battery, when in a completely charged condition and having a nominal capacity at 1 C, is continuously discharged at an electric current rate of 0.2 to 5 C until a potential of said negative electrode becomes -0.6 V and a potential of said positive electrode becomes -0.1 V with respect to a mercury reference electrode.

32. (new) A nickel metal-hydride storage battery comprising a paste type positive electrode containing a first active material and a second active material, wherein said first active material comprises X parts by weight of particulate nickel hydroxide with aX/100 parts by weight of cobalt oxyhydroxide carried thereon, and said second active material comprises Y parts by weight of particulate nickel oxyhydroxide, of which an oxidation number of nickel is α , with bY/100 parts by weight of cobalt oxyhydroxide carried thereon, all the following relationships being satisfied:

$$(1) 2.6 \leq \alpha \leq 2.92$$

$$(2) 0.01 \leq (aX/100 + bY/100) / (X + Y) \leq 0.20$$

$$(3) 0 < b \leq a \leq 10 \text{ or } 0 = b < a \leq 10$$

$$(4) 2.1 \leq (2X + \alpha Y) / (X + Y) < 2.2;$$

wherein an oxidation number of cobalt in said cobalt oxyhydroxide included in said first active material and said second active material is greater than 3 and the paste type positive electrode further comprises a cobalt oxyhydroxide powder, wherein a quantity of the cobalt oxyhydroxide powder is d parts by weight, the following additional relationship being satisfied:

$$(5) 0.01 \leq (aX/100 + bY/100 + d) / (X + Y) \leq 0.20.$$

33. (new) The nickel metal hydride storage battery in accordance with claim 32, wherein at least one of said particulate nickel hydroxide and said particulate nickel oxyhydroxide is a solid solution containing at least one selected from the group consisting of cobalt, zinc, cadmium, magnesium, calcium, manganese, and aluminum.

34. (new) The nickel-metal hydride storage battery in accordance with claim 32, further comprising a negative electrode comprising a hydrogen storage alloy, a separator, an aqueous alkaline electrolyte, a sealing plate having a safety valve, and a battery case, wherein a discharge capacity of said negative electrode is greater than a discharge capacity of said positive electrode but not greater than 1.1 times as large as a discharge capacity of said positive electrode when said battery, when in a completely charged condition and having a nominal capacity at 1 C, is continuously discharged at an electric current rate of 0.2 to 5 C until a potential of said negative electrode becomes -0.6 V and a potential of said positive electrode becomes -0.1 V with respect to a mercury reference electrode.